

**MINUTES OF MEETING
VILLAGE COMMUNITY
DEVELOPMENT DISTRICT No 3**

The Meeting of the Board of Supervisors of the Village Community Development District No. 3 was held on Wednesday, December 14, 2012 at 11:00 a.m. at the District Office Board Room, 1894 Laurel Manor Drive, The Villages Florida, 32162.

Board members present and constituting a quorum:

Charlie Cook	Chairman
Bill Ray	Vice Chairman
Tilman Dean	Supervisor
John Goetz	Supervisor
Gail Lazenby	Supervisor

Staff Present:

Janet Tutt	District Manager
Diane Tucker	Administrative Operations Manager
Valerie Fuchs	District Counsel
Sam Wartinbee	District Property Management Director
David Miles	Finance Director
Jennifer McQueary	District Clerk
Brittany Wilson	Executive Assistant
Candice Lovett	Staff Assistant

FIRST ORDER OF BUSINESS: **Call to Order**

A. Roll Call

Chairman Cook called the meeting to order at 11:00 a.m. and stated for the record that all Supervisors were present representing a quorum.

B. Pledge of Allegiance

The Chairman led the Pledge of Allegiance.

C. First Time Meeting Attendees

The Board welcomed all those residents in attendance at a District 3 Board Meeting for the first time.

D. Audience Comments

Rich Behn, Polo Ridge, thanked District Property Management (DPM) for the installation of signage around Saddlebrook but inquired about the recent speed bump installation on the multi-modal paths. Sam Wartinbee, DPM Director, advised the item is being re-addressed and different options are being considered.

A resident addressed the Board expressing safety concerns at the Glenbrook gate on Buena Vista Boulevard and Talley Ridge South and advised of the safety concerns exiting the Glenbrook gate and make a left turn onto Buena Vista Boulevard. Chairman Cook advised that although the roads are under the jurisdiction of Sumter County; this Board was actively involved in requesting a previous traffic study that was completed; however, from the state's point of view, in order to consider the installation of a traffic signal, there has to be a number of "warrants" met, which did not occur.

Vice Chairman Ray suggested residents address their safety concerns directly with the Sumter County Board of County Commissioners (SCBOCC) and request a traffic study be completed during the high peak months.

Supervisor Lazenby stated there is a list of items the state and county will consider with regard to all situations where a traffic device is being considered. Supervisor Lazenby advised if enough residents attend the county meetings, and enough complaints are received, it is possible the County will reconsider the issue. Chairman Cook and Vice Chairman Ray concurred.

Janet Tutt, District Manager, advised she would meet with the resident following the meeting to provide contact information for Sumter County.

SECOND ORDER OF BUSINESS: **Approval of the Minutes of the Board Meeting held on November 9, 2012**

Supervisor Dean requested a correction be made to page 8 of the Minutes clarifying a previous 4-1 vote taken by the Board to not put the path behind the Polo Ridge gate.

Supervisor Goetz requested clarification of the enforcement of signage in the villas. Ms. Tutt advised the Board chose to enforce signage as it reads in the deed restrictions.

Valerie Fuchs, District Counsel, clarified Staff took no action on complaints received until the Board addressed the enforcement of signage in the villa units at their September Board Meeting and provided direction to enforce.

On MOTION by John Goetz, seconded by Tilman Dean, with all in favor, the Board approved the corrected Minutes from the Board Meeting held on November 9, 2012.

THIRD ORDER OF BUSINESS: Financial Statements as of November 30, 2012

David Miles, Financial Director, reviewed the cash analysis prepared on November 28, 2012 that shows the District's investable balances as \$1,705,229 which was distributed among Citizens First Bank (CFB), State Board of Administration (SBA), the Florida Municipal Investment Trust (FMIVT) 1-3 year bond fund account and the Florida Governmental Investment Trust (FLGIT) funds. The Budget to Actual Statements for the month ending November 30, 2012 were provided to the Board identifying 16.67% of the Fiscal Year. Mr. Miles advised the District has collected 23.09% of its projected resources for the year and the total expenditures are currently at 13.40%. During the month of November the District's revenues exceeded expenditures by \$158,311 and on a year-to-date basis the revenues have exceeded expenditures by \$87,890.

FOURTH ORDER OF BUSINESS: District Property Management Reports

A. Landscape Maintenance Update

Bill Thompson, District Property Management (DPM) Supervisor, provided the Board with an update on the following items:

- Routine maintenance is ongoing.
- Pressure washing is complete on the entry signs.

Chairman Cook advised he received concerns from residents regarding the micro-surfacing completed in Villa Natchez. DPM provided the Board with a letter that would be distributed to residents advising the micro-surfacing was done correctly.

Supervisor Lazenby stated residents should be aware when maintenance on the roads take place, the appearance is not always appealing; however the appearance does return to new.

B. Water Retention Maintenance Status Update

The Water Treatment Report was provided for the Board's information.

FIFTH ORDER OF BUSINESS:

**Appeal of Architectural Review Committee Denial of
Alteration Application #12-44236**

Chairman Cook advised the Board the resident involved in the appeal of Alteration Application #12-44236 is a neighbor and prior to being advised the resident's request to the Architectural Review Committee (ARC) had been denied, the resident had requested he review a tree on her property she was having an issue with. Chairman Cook stated as soon as he was advised by the resident that the ARC had denied her Alteration Application he informed her he could no longer discuss the matter.

Valerie Fuchs, District Counsel, advised Board Members need to be cautious about discussing potential deed compliance issues but stated Chairman Cook addressed this situation appropriately.

A. Staff Overview and Recommendation

Diane Tucker, Administrative Operations Manager, advised Alteration Application #12-44236 requesting removal of a drake elm tree was submitted by Ellen Scott, 857 Dowding Way, and subsequent to review by the ARC was denied based on the arborist's recommendation that the tree was healthy and did not pose a safety concern. Ms. Tucker stated Ms. Scott submitted a letter of appeal of the ARC's decision based on receiving recommendations of two (2) independent contractors who suggested the tree be removed in order to encourage the growth of the oak tree situated near the drake elm tree.

B. Open Public Hearing to Received Public Comment

Chairman Cook opened the public hearing at 11:40 a.m.

Ellen Scott, Dowding Way, provided the Board with a letter from a neighbor who is in favor of having the tree removed and photographs. Ms. Scott stated there is room on the lot for the oak tree to spread into a much larger tree; however the drake elm is leaning into the oak and preventing it from leafing out on the side.

Supervisor Dean inquired if Ms. Scott planted both trees. Ms. Scott stated she did.

Supervisor Lazenby inquired if there was a Florida Statute or regulation that requires a private property owner request permission to remove a healthy tree. Ms. Tutt stated certain counties and municipalities have adopted ordinances; however, there is no state provision.

Vice Chairman Ray stated since Ms. Scott planted the tree it would be his recommendation to allow her to remove the tree.

Supervisor Dean concurred with Vice Chairman Ray and stated Ms. Scott should have purview over plantings on her property.

Supervisor Lazenby inquired why the removal was denied. Ms. Tucker advised the application was denied based on the arborist's review of the tree. Supervisor Lazenby stated a vast majority of issues are based on aesthetics, and if the homeowner and neighbors find the tree aesthetically unappealing, there should be no reason it can not be removed.

Supervisor Goetz stated the ARC does a wonderful job and has followed all the guidelines provided by the Board; however, based on the issue of aesthetics and that the homeowner originally planted the tree, he is in support of approval to have the tree removed.

Chairman Cook and Vice Chairman Ray concurred.

C. Close Public Hearing

Receiving no additional public comment, Chairman Cook closed the public hearing at 11:50 a.m.

D. Board Direction

<p>On MOTION by Bill Ray, seconded by Tilman Dean, with all in favor, the Board approved the appeal of the Architectural Review Committee Denial of Alteration Application #12-44236 and remanded the application back to the Architectural Review Committee for approval.</p>

SIXTH ORDER OF BUSINESS: Approval of the continuation of Compensating Balance Agreement with Citizens First Bank and the revised distribution of balances

Mr. Miles advised Staff and the District's Financial Advisor, PFM, has conducted a detailed analysis of the Districts' current Compensating Balances Agreement with CFB and based on the analysis of actual usage for the period August 2011 through July 2012, it was determined adjustments were

necessary to the existing allocation of the total \$6,175,000 agreement. Mr. Miles stated Staff has presented the Boards with the re-distribution of the balances among the Districts and is requesting approval of the continuation of the existing agreement based on the re-distribution. Staff proposes the reallocation to be put in place beginning January 1, 2013 and will result in a \$13,000 reduction for District 3.

On MOTION by Gail Lazenby, seconded by Bill Ray, with all in favor, the Board approved the continuation of the Compensating Balance Agreement with Citizens First Bank and the revised distribution of balances among Districts and Funds as shown on Enclosure 2.

SEVENTH ORDER OF BUSINESS: Old Business Status Update

Ms. Tutt advised a response has not yet been received from the resident group in District 1 who expressed interest in pursuing possible recommendations regarding a process for the re-painting of homes. Ms. Tutt stated a resident in attendance at the District 1 meeting did advise the resident group has met several times and are moving forward.

Chairman Cook requested an update regarding the interest rate overpayment process. Mr. Miles advised a line has been included on the Budget to Actual forms that will identify the transfer for the debt service funds. Mr. Miles stated during the month of November, a total amount of \$1,228 has been refunded; however, the refunds began mid-November, therefore, the amount identified in the December budget to actual statements will be higher.

EIGHTH ORDER OF BUSINESS: Staff Reports

A. Amenity Authority Committee Update

John Wilcox, District 3 Amenity Authority Committee (AAC) Representative, provided the Board with an update of items addressed at the December 12, 2012 meeting:

- The parking lot improvements at The Villages Woodshop will be going before the Town of Lady Lake for approval on January 7, 2012 and it is anticipated construction will begin during the summer.

- Kimley-Horn & Associates is working on the design plans for Area A of the Paradise Park improvements.
- An update was provided regarding the public input sessions held for possible improvements to the Tierra Del Sol, El Santiago and Southside Recreation Centers. More information will be received at the next meeting and a workshop has been scheduled on February 13, 2013 for discussion along and review of future plans.
- Concerns regarding the wooden bridge north of CR 466 near the Morse gate were addressed and 4 x 6 curbing will be added to improve safety.
- This Board's request for the AAC to consider funding the costs to move the cart path behind the Tally Ridge south gate was considered and unanimously declined.
- Cancellation of parades in the squares were brought up during audience comments and residents are hopeful that a solution can be developed.

On behalf of Staff, Ms. Tutt wished the Board Happy Holidays.

TWELFTH ORDER OF BUSINESS: District Counsel Reports

Ms. Fuchs wished the Board a Happy Holidays and Happy New Year.

THIRTEENTH ORDER OF BUSINESS: Supervisor Comments

Supervisor Lazenby stated he believes the Board needs to consider moving the cart path behind the Tally Ridge gate and requested Staff provide estimated construction costs to complete the reconstruction and close off the section of path in front of the gates.

Supervisor Dean requested Staff review all the gates and provide a cost estimate breakdown by gate.

Chairman Cook inquired if the installation of paver bricks would be necessary for the crossing at the Tally Ridge gate.

Supervisor Goetz stated Sumter County has previously stated the paver bricks were necessary.

Ms. Tutt advised Staff will review all the crossings and previously reviewed information and suggested the information be addressed at a workshop where the appropriate time can be given to review the matter.

Supervisor Goetz stated he is in support of rerouting the path behind the Glenbrook gate as a start.

Supervisor Goetz stated the Board has previously voted to enforce the current covenants which state no sign is allowed in the yard, except a name sign, without the written permission of the Developer and expressed concern regarding seasonal signs. Ms. Fuchs advised the deed restrictions state no lawn ornaments are allowed except for seasonal displays.

The Board wished Staff a Merry Christmas.

FOURTEENTH ORDER OF BUSINESS: Adjourn

The meeting was adjourned at 12:21 p.m.

On MOTION by Gail Lazenby, seconded by Tilman Dean, with all in favor, the Board adjourned the meeting.
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Janet Y. Tutt
Secretary

Charlie Cook
Chairman